

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.1562 OF 2020
IN
CRIMINAL APPEAL NO.115 OF 2018**

**NITIN SUBHASH JAGTAP
VERSUS
THE STATE OF MAHARASHTRA**

...
**Advocate for Appellant : Gavhane Rameshwar U. for Applicant
APP for Respondent: Smt.R.P.Gaur**
...

**CORAM : MANGESH S. PATIL, J.
DATE : 04.03.2021**

PC. :-

It appears that the Appeal is preferred against conviction. The appellant has been sentenced to suffer R.I. for 1 year under Section 354-A of the I.P.C. and R.I. for 3 years for the offence punishable under Section 8 read with Section 7 of the Prevention of Children from Sexual Offences Act by judgment and order dated 15/12/2017. Both the sentences have been directed to run concurrently. This Court had suspended the substantive sentence by order dated 23/2/2018 and he was directed to be released on bail.

2] It appears that he was represented by an Advocate appointed through Legal Services Authority, he was discharged by order dated 2/12/2019 and the order suspending the sentence was recalled. He is now in jail since 6/1/2020. He has already been in jail for more than a year and quarter. There is no likelihood of Appeal being heard in near future. In these peculiar facts

and circumstances it would be appropriate to suspend the sentence and release him on bail.

3] The substantive sentence shall stand suspended pending the appeal and the appellant shall be released on bail on his executing Personal Recognizance for an amount of Rs.25,000/- (Rs.Twenty five thousand only) and furnishing a solvent surety in the like amount. Bail before the trial Court.

[MANGESH S. PATIL, J.]

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